

notified of any recess appointments or any Federal judicial appointment during this recess period. However, I note it has been done in the past, and there has been some suggestion it could occur during the next 6 weeks before the next Inauguration.

I want to check on exactly what would be the situation. I understand even a Federal judge's term would expire, depending on when it happened, at the end of the Congress, but there would be tremendous pressure then to reappoint that person. I agree with the Senator that any appointment of a Federal judge during a recess should be opposed, regardless of who they are or whether it is Republican or Democrat. I commit myself now to remember that when there is a Republican administration, as well as a Democratic administration.

I do know there were Federal judges back in the early 1950s appointed by President Eisenhower. That was a mistake then, and it would be one now. I understand that could be contemplated. This word of caution on your behalf and on mine on behalf of the Senate, hopefully, will cause that not to happen.

Mr. BYRD. Mr. President, if the distinguished majority leader will yield further.

Mr. LOTT. I am happy to yield to the Senator.

Mr. BYRD. I presume to offer the majority leader a suggestion, what I would do if I were in his place. I would write to the President and urge that no such recess appointment be made, and put it in writing, make a record of it. Furthermore, if I were the majority leader, I would talk with the administration.

Mr. LOTT. I appreciate that.

Mr. BYRD. I am not trying to tell the Senator what to do, but this is a serious thing with me. As for the politics of it, I am not talking Democratic politics or Republican. But there is such a thing as comity between the executive branch and the legislative branch. There is such a thing as the Constitution, and I happen to hold a copy in my hand right now. There is also such a thing as the prerogatives of the Senate. I try to defend those prerogatives.

The Senator made a comment about recess appointments. I hope he will get some assurance. If there is any doubt in his mind—any doubt—that this administration or any other is going to try to make a recess appointment, especially of a Federal judgeship, while the Senate is out for these two or three weeks. I hope the Senator will get a commitment out of the administration, if he can, that that will not happen.

That is going pretty far, in my judgment—to appoint a Federal judge for life “during good behavior.” I don't know whether there have been judges appointed during a recess of the Senate in the face of this provision which I have just read, to wit:

The President shall have power to fill up all vacancies that may happen during recess of the Senate by granting commissions which shall expire at the end of their next session.

That is all I have to say. I have been concerned about that, I say to the distinguished majority leader. I have worked with the distinguished Senator from Tennessee, Mr. THOMPSON, and his committee, and a former Senator, who was the ranking member of that committee, John Glenn. We hammered out some legislation. I was concerned about the fact that the administration was appointing people who stayed in those positions for a year, for 2 years, for longer than 2 years, so we hammered out legislation and passed it in the Senate—the Vacancies Act.

About 6 months ago, I asked Senator THOMPSON how the law was working. He indicated he would get back to me in answering my question at some point.

I just happened to be here on this floor, during the comments of the majority leader and I can't stress too greatly my concern about recess appointments of Federal judges.

I hope the majority leader, if he will pardon my presumptuousness, will try to get some understanding with the administration about that. That is the way I always did when I was majority leader: I got some understanding.

Mr. LOTT. Mr. President, I say to the distinguished Senator from West Virginia, that is very good counsel. I will do that on a personal basis. I will also follow an example that I believe has been carried out in the past by Senator BYRD, maybe even by Senator Dole: In writing, get an understanding or some clarification. I will do that letter, and it will include this colloquy which just occurred.

I thank the Senator for his comments, and I yield the floor.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I suspect you are getting weary of issuing that statement.

Mr. President, just because I want to talk about 18 years of service doesn't mean I have to take 18 hours to do it. I will try to consolidate it.

I have been talking about things that meant so much to me in the Senate and about the honor given when one is elected to this office. Too often it is denigrated in the heat of battle for victory in elections and again criticism of government and the bureaucrats, and so forth. It gets to a point where I must say I am very defensive, particularly for the staff who give so much of themselves to make things happen.

Part of the work we have done over these years has proven to be of benefit.

I hope I will be forgiven for taking some minutes to talk about things that can happen. I am proud of the work I did on gun safety, especially the law which takes guns away from domestic violence offenders who abuse their wives and their children. I am disappointed that more wasn't done to close the gun show loophole which permits people to buy weapons without any identification. I hope in the 107th Congress, with the new Members on both sides of the aisle, people who come here with good credentials, with those who have been here in the past from the 106th Congress, we will pass that law.

Tobacco. Often when I am on an airplane, I am thanked by flight attendants and passengers for writing the ban on smoking in airplanes. It was a move that changed our country's cultural attitude on smoking. The tobacco industry has to understand that. I hope scientists have seen signs of understanding and cooperation that will lead them to work with us, through the FAA, to try to come to some kind of reconciliation of the position they are in where smoking brings so much damage and costs to our society. They are beginning to know that, and I hope they come up with something to permit citizens to avoid the poisons, the addiction that results from cigarette smoking.

The Superfund is another program on which I worked fairly diligently for a long time without success, so far, in terms of getting it reauthorized, as it should be with a tax income that has those responsible, who could be responsible for that pollution, pay for the cleanups. We missed passing a bipartisan brownfields bill this year and hope that will take place next year.

As we have reviewed tonight, transportation is one of my deepest interests. In working the bill to maintain our mass transit system, highways, airports, and ports have been a top priority for me as chairman and ranking member of the Appropriations Transportation Subcommittee. I believe we will face a serious transportation crunch in the future, as discussed, unless we develop high-speed rail wherever we can throughout this country. That is why this passage of the High Speed Rail Investment Act is so critical. And, once again, I thank the leaders for agreeing. I include the chairman of the Appropriations Committee, Senator STEVENS, and the ranking member, Senator BYRD, for their willingness to cooperate getting that Amtrak bill in place next year.

Also, I am delighted to have served with our friend, Senator CONNIE MACK from Florida, who is also in the process of retiring from the Senate. He and I worked very hard to get passage of a bill that punishes those who would commit terrorist acts and to help the victims of terrorism. We came to a

conclusion, before we left on our last break, that we will have these people receive compensation directed at having those nations that support terrorism pay for it. We are trying to get an understanding that, no matter what you do, if you support terrorism or you commit an act of terrorism, you are going to have to pay for it, and pay severely.

I am proud of the work, also, I was able to do on the Budget Committee, especially the 1997 balanced budget agreement that laid the foundation for some of the surpluses we are now enjoying. I must say, when I walked across the lawn with the President of the United States and watched him sign that bill, I thought it was a moment I only wished my parents could have seen.

I have served with many great men and women in the Senate. I have respect for all of them. I cannot name them all at this time, but I do want to mention some of the special ones. I worked with great majority and minority leaders. When I came here in 1983, Senator Howard Baker was the majority leader. I found him to be one of the most honorable people I have met. His word was his bond, and he taught me some early lessons when I asked him for a letter confirming a statement he had made to me, a promise he had made to me about a piece of legislation. So I said: May I have a letter to that effect? He said: If you need a letter from me, we are all in trouble.

I was startled for a moment. But I could see then that Senator Howard Baker was a man of his word, as I have seen with other leaders on both sides.

Senator ROBERT BYRD was minority leader when I came; later in the 1980s, Senator George Mitchell, Senator Bob Dole, distinguished leaders of our two parties. In the 1990s, I had the privilege to work under the stewardship of Senator TRENT LOTT and my good friend Senator TOM DASCHLE, among the very good people who served in leadership roles. It is not an easy place to manage. I don't know whether there is ever going to be a school of hard knocks that is going to teach people how to run the Senate. But I think it has to be learning under fire with an occasional singeing here and there.

As a long-time member of the Appropriations Committee, I served under terrific leadership: Senator Hatfield, Senator Stennis, Senator STEVENS, and Senator BYRD. I don't think anyone of either party would quibble with my opinion that our friend Senator BYRD has been one of the great Senators in the history of this Republic.

I have served for almost 16 years on the Senate Environment and Public Works Committee. That committee was led by extraordinary leadership, Senators such as Bob Stafford, Lloyd Bentsen, Quentin Burdick, John Chafee, PAT MOYNIHAN; and BOB SMITH

has taken over the reins there. MAX BAUCUS is the ranking member, and their leadership has been excellent. We worked hard to get things done. The funny thing is, it seemed that a spirit of bipartisanship just emerged without it being put into a record book or a program design. It just worked that way.

I served on the Budget Committee. I did see Senator PETE DOMENICI here. I did that for 16 years. I worked with the best. PETE DOMENICI is an outstanding chairman. We disagree on some of the policy things, but I wanted Senator DOMENICI to know how much I respected his work as chairman of the Budget Committee. I finally got his attention.

Senator DOMENICI and I had some disagreements—we had many agreements. But above all, we maintained respect for one another. That even developed, if I might describe it, as affection for one another, a respect for the turn our lives have taken and the problems we both would like to solve in our society.

We had Jim Exon, Jim Sasser, Senator STEVENS, we had some really good people—Lawton Chiles—who worked to chair these committees. There are others who left us with a memory of some greatness: People such as TED KENNEDY, PAT MOYNIHAN, fighters such as Howard Metzenbaum, Dale Bumpers, statesmen such as JOE BIDEN, Lloyd Bentsen, and my colleague Bill Bradley; and American heroes such as DANNY INOUE, Bob Dole, BOB KERREY, and John Glenn—people who paid, in many cases, steep prices for their service to country.

We worked with Presidents from both parties. Despite our differences, I was able to get things done with Presidents Reagan and Bush. Particularly with President Reagan, as I noted, I was able to get the legislation in place that raised the legal drinking age to 21. President Bush signed my legislation to ban smoking on all domestic airlines. I don't know whether that says something about the old saw that divided leadership in the various parts of government maybe produces good results. I wish I could have tried it all my way, but it did not get to work. But the system does work.

I cannot leave this place with any criticism of the place not working or so forth. Sometimes the work goes slower than you would like. Sometimes it is more painful than you would like. But the fact is, this institution of government does work, and the people across the country have to know that, even as we looked at this kind of torturous process that followed the election we just completed. We are on to a new Presidency. We are on to the hope for the next century, for the next administration at least, that America will be able to continue to enforce its leadership in the world, not only militarily or functionally, but morally as well.

So, Mr. President, it has been quite a go that I have had, to use the expression. I worked very hard for my State. I love New Jersey. I was born there. We have had Members in Congress there from both parties, and we worked together on a variety of joint Federal and State matters such as transportation, health care, and welfare. We had Governors such as Tom Kean, Jim Florio, and the present Governor Christine Todd Whitman. We were able to put politics aside and work together for the good of the people of the State of New Jersey. I am deeply grateful to the people of New Jersey. I thank them for putting their trust in me by sending me to the U.S. Senate for three terms. I hope I have made good on their trust and did the job they elected me to do.

I welcome JOHN CORZINE, who is going to take this seat in the 107th Congress. He is a terrific fellow. He is going to do an excellent job, in my view. I was pleased to work with him in the election and, as a matter of fact, through these past couple of weeks as well, to see if I could be of help to him as he gets himself established, ready to take on the assignments of the Senate as Senator from New Jersey.

I also extend my thanks to President Bill Clinton and Vice President AL GORE. Their leadership in the past 8 years has resulted in unprecedented growth and prosperity for our country. For that I am grateful. Their leadership also helped us solve some of the problems that beset the world, whether it was in Kosovo or Ireland, where division and torment and violence existed for so many years. It is working its way slowly to a peaceful coexistence between the parties there. President Clinton deserves enormous credit for that and our intervention in Kosovo to stop the killing and abuse of people there.

We look at the Clinton years as years of good government, of good accomplishment, to say President Clinton and Vice President GORE will be remembered for the good things they brought to this country.

I thank my staff, perhaps the most loyal anyone could have, and many of them are here tonight and have stayed with me, as they say, to the end. Many of them have their own concerns, their own families, their own futures, their own careers to look after, but they stuck by, and we continued to get things accomplished—even this, though it is my last active day as a Senator, though I will be a Senator until January 3. My staff and I are showing we are still fighting to get things done.

I was pleased with the outcome for Amtrak. Our people have worked long hours with great energy. They are talented, professional, bright, skilled people who are totally committed to our common view of public service. Whether it was in my personal office, State offices, Budget or Appropriations Committees, my people made enormous

contributions day in and day out, and my service has been enriched and made more effective by their contribution.

I have had some great people on the staff over the years who have dedicated their time and energy to advance our agenda. They have been outstanding public servants, anonymously serving the public interest, not elected but just as dedicated as anyone who has been elected to office.

I want to take a few minutes to name for the RECORD people such as Eve Lubalin, my first legislative director, who served for many years as my chief of staff and campaign manager as well. She worked on so many of our accomplishments in 17 years in my office.

Mitchell Oster worked on my 1982 campaign and later was my legislative director. He was an excellent, smart, aggressive staffer.

A friend of mine who worked with me as a press secretary and State director is Jim McQueeney.

James Carville and Paul Begala managed my campaign in 1988. I hope that was part of the propulsion that led them to the lofty positions they had in campaign logistics and successes.

Karin Elkins has been on my staff since 1983.

Bruce King is the staff director of the Senate Budget Committee.

Sandy Lurie, my current chief of staff, has been on the staff for 10 years and has been involved in so many of my initiatives.

Maggie Moran is my State director.

Dan Katz, my outstanding legislative director, has helped me with so many public health issues.

Tom Dosh has worked for me for 18 years, skillfully running the administrative and financial management side of all my offices.

And my long-time assistant Eleanor Popeck has worked for me for over 35 years. She was with me as an assistant when I ran ADP and has worked in my Washington office and Newark office as well. She is an outstanding public servant. Her contributions have been significant.

Peter Rogoff has worked with me on the Appropriations Transportation Subcommittee for over 10 years and has assisted me with so many major transportation accomplishments.

There are many others over the years, and I wish I had time to mention them all. That would be disagreeable with some of the people in the Chamber. I ask unanimous consent to print in the RECORD a list of my key staffers over the years.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STAFF SINCE JANUARY 1999 AND OTHER KEY  
STAFF

Amy Abraham, Jeff Acconzo, Sharon Anderson, Nisha Antony, Claudia Arko, Renee Ashe, Bill Ayala, John Bang, Lisa Baranello, Frederic Baron.

Karyn Barr, Gabrielle Batkin, Steve Benson, Maggie Bierwith, Patrick Bogenberger, Natalie Broadnax, Dana Brookes, Aaron Bruschi, Scott Campbell, Cathy Carpino.

Rock Chueng, Sally Cluthe, Todd Coleman, Bill Crawley, Debbie Curto, Christy Davis, Sallie Derr, Nicole Di Lella, Tom Dosh, Andrea Edwards.

Karin Elkins, Val Ellicott, Rob Elliott, Ron Eritano, Jim Esquea, Kyra Fischbeck, Alex Formuzis, Alison Fox, Lorenzo Goco, Lisa Haage.

Heidi Hess, Melissa Holsinger, David Hoover, Louis Imhof, Dan Katz, Bruce King, Lisa Konwinski, Peter Kurdock, Lou Januzzi, Andrew Larkin.

Vanessa Lawson, Josh Lease, Steve Leraris, Mada Liebman, Julie Lloyd, Ruth Lodder, Eve Lubalin, Sander Lurie, Amy Maron, Colleen Mason.

Denise Matthews, Katie Melone, Melissa Miller, Maggie Moran, Courtenay Morris, Marty Morris, John Mruz, Sue Nelson, Mark Nevins, Liz O'Donoghue.

Tony Orza, Deborah Perugini, Blenda Pinto, Lisa Plevin, Michael Pock, Ellie Popeck, Peter Rogoff, Mike Rose, Nadine Rosenbaum, Jon Rosenwasser.

Nikki Roy, Peter Saharko, Laurie Saroff, Dawn Savarese, Jack Schnirman, Paul Seltman, Jeff Siegel, Retha Sherrod, Tralonne Shorter, Lisa Singleton.

Monica Slater Stokes, Arvind Swamy, Beth Tarczynski, Keith Totaro, Kathy Unzicker-Byrd, Chip Unruh, Raj Wadhwani, Barbara Wallace, Mitch Warren, Sharon Waxman, Ted Zegers.

Mr. LAUTENBERG. Finally, Mr. President, this is not a day without emotion. Eighteen years of my life have been spent here, 18 of the most satisfying years one could imagine. Couple that with some 3 years in the Army, and I have served the Government for 20 years.

I have enjoyed it all. It has been an incredible learning experience for me, but I owe a special thanks to four people: My four children, Ellen, Nan, Lisa, and Josh. I asked them in the early stages what they thought about my running for office. I was chairman of a very large company, and life was pretty good. They all agreed that it was something I ought to do. We did not realize at the time what kind of an interference with normal family life it would be. It has taken lots of time away from our enjoyment of doing things together.

I came to the Senate because I love them so dearly that I wanted to make sure their lives would be safer and fuller. How was that to be accomplished? It was not by earning more assets and resources. I knew my children and my grandchildren could never be as safe as I would like them to be unless everybody's children were as safe as they should be by getting rid of violence in the streets, in the communities, in the neighborhoods, in the schools.

How does one do that? I could not single my kids out and say, OK, let's make sure they are safe and protected. No, I had to say all people's children have to be safe and protected, and that is what I have tried to do here.

That was my inspiration. That outlined the goals I set for myself. That is why I wanted to raise the drinking age, lower the blood alcohol content, get guns out of people's houses, reduce smoking in public areas, make sure toxic chemicals were known throughout the communities in the Right To Know Act, and make sure terrorists did not run freely through our society or through the world chasing American citizens, abusing them, killing them.

I tried. I have not accomplished all of those things, but a lot of them have been accomplished. I wanted the highways to be safer and the skyways to be safer because of the belief I had that people around the country would share my view on that.

Now the pictures are off the wall, the furniture is moved out, the day is closing for the end of my Senate service. I will acknowledge that it was more than skills and knowledge that brought me here. Some of that was the pure good fortune of the people of New Jersey electing me the first time I went out to run for office. They did not know me from anybody else, but they looked at the record my company had and how we built it from nothing to something important. They looked at my service as commissioner of the Port Authority of New Jersey and New York that controls the bridges, tunnels, terminals, and buildings in New York that was an appointed post. People looked at me and said: Well, we don't know this guy, but it looks like he has done some things correctly. They saw pictures of my family. They know how devoted I am to them. I also was chairman of one of the largest charities of the world for 3 years. They entrusted me with this seat, the New Jersey seat, that I occupied for 18 years. I always refrain from calling it "my seat" because it is not; I filled it for a while.

In closing, I thank the occupant of the chair for the opportunities we have had to share common goals and for his decency in reviewing those with me and having an open mind on many of the issues. I thank my friend from Nevada who stands as the guardsman of the floor in his assignment for the Democrats as the whip, and I note the respect I felt for him when I saw how ardently he worked to protect his State from becoming a nuclear dump, even when we struggled to find a place to put that material—and we do have to find a place. The fact of the matter is, if we defend the interests of our States in concert with the interests of our country, we will have done our jobs correctly.

I hope the legacy I leave will create a brighter future for the people who sent me here, for my eight wonderful grandchildren, and for all of those I took the oath to serve.

Mr. President, I yield the floor.